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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91184456
Party	Plaintiff L'Oreal USA, Inc.
Correspondence Address	Robert L. Sherman Paul, Hastings, Janofsky & Walker LLP 75 East 55th Street New York, NY 10022 UNITED STATES rls@paulhastings.com
Submission	Other Motions/Papers
Filer's Name	Robert L. Sherman
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Date	09/15/2008
Attachments	Motion on Consent to Amend Disclosure and Discovery.pdf (3 pages)(143558 bytes)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

In the Matter of Application Serial No. 76/596,736
Published in the Official Gazette on May 6, 2008
Mark: L'OREAL PARIS

L'ORÉAL S.A. and L'ORÉAL USA, INC.,

Opposer,

v.

ROBERT VICTOR MARCON,

Applicant.

Opposition No. 91184456

**MOTION ON CONSENT
TO AMEND DISCLOSURE AND DISCOVERY PROCEDURES**

Pursuant to 37 C.F.R. § 2.120(a)(2) (2008), L'Oréal S.A. and L'Oréal USA, Inc. (collectively, "L'Oréal" or "Opposer"), through its attorneys, and Robert Victor Marcon ("Marcon" or "Applicant") (together with Opposer, the "Parties") conducted the mandatory discovery conference by telephone on August 4, 2008. The Parties discussed, among other things, the nature of the claims and defenses, whether this action might be resolved by settlement, and whether to alter any of the disclosure and discovery procedures for this proceeding.

The Parties agreed to waive the initial disclosure requirement. Accordingly, the Parties agreed to rely on traditional discovery requests to obtain information that might have been provided through the service of initial disclosures. The Parties have not otherwise modified the discovery schedule as set forth by the Board. Opposer has received Applicant's consent to file this motion.

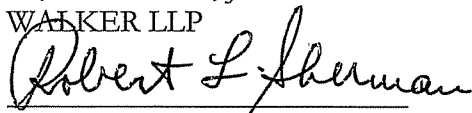
Therefore, the Parties respectfully request that the Board grant this Motion on Consent to waive the initial disclosure requirement.

Dated: September 15, 2008

Respectfully submitted,

PAUL, HASTINGS, JANOFSKY
& WALKER LLP

By:


Robert L. Sherman
Natalie G. Furman

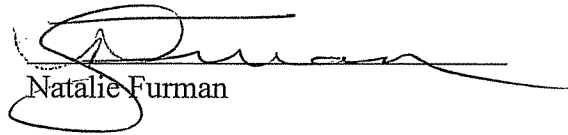
75 E. 55th Street
New York, New York 10022
212-318-6000

Attorneys for Opposer

To: Robert Victor Marcon
3471 Sinnicks Avenue
Niagra Falls, Ontario L2J 2G6
CANADA

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the Motion on Consent to Amend Disclosure and Discovery Procedures has been served upon Robert Victor Marcon, 3471 Sinnicks Avenue, Niagara Falls, Ontario, L2J 2G6, CANADA, by depositing a true copy of the same with UPS, postage prepaid, on September 15, 2008.


Natalie Furman